

**COMMONWEALTH OF KENTUCKY
EXECUTIVE BRANCH ETHICS COMMISSION
AGENCY NO. 20-017**

EXECUTIVE BRANCH ETHICS COMMISSION

COMPLAINANT

vs.

REBECCA BLACK

RESPONDENT

FINAL ORDER OF DEFAULT

WHEREAS, two attempts to deliver the Initiating Order to the Respondent were returned the Commission as Unclaimed on October 28, 2020, and December 29, 2020, respectively, the Respondent was served with the Initiating Order via certified mail pursuant to KRS 13B.050(2);

WHEREAS, the Respondent has failed to file an answer within twenty (20) days of service as required by 9 KAR 1:030 Section 3(1);

WHEREAS, pursuant to 9 KAR 1:030 Section 4, in the event a Respondent fails to file an answer, the Complainant may:

- 1) Accept the failure to answer as an admission of the allegations in the initiating order;
- 2) Find by clear and convincing evidence pursuant to KRS 11A.100(3) that the Respondent has engaged in the alleged conduct in violation of KRS Chapter 11A;
- 3) Enter a Final Order of Default against the Respondent; and
- 4) Levy the appropriate possible penalty allowed under KRS 11A.100(3);'

IT IS HEREBY ORDERED AND ADJUDGED, that the Commission accepts Rebecca Black's failure to answer as an admission to allegations in the initiation order,

finds by clear and convincing evidence, as required by KRS 11A.100(3), that Rebecca Black violated KRS 11A.020(1)(a), and (d), and enters this Final Order of Default against Rebecca Black. Pursuant to KRS 11A.100(3), the Commission further:

- 1) Issues a public reprimand to Rebecca Black; and
- 2) Orders that Rebecca Black shall pay a penalty of three thousand (\$3,000) dollars per count for a total of six thousand dollars (\$6,000) to the Commission;
- 3) Rebecca Black shall remit to the Commission at its location at 1025 Capital Center Drive, Suite 104, Frankfort, Kentucky 40601, within thirty (30) days of the date of entry of this Final Order a cashier's check or money order made payable to the Kentucky State Treasury.

NOTICE OF APPEAL RIGHTS

You have a right to appeal the Final Order of the agency pursuant to KRS 13B.140, which reads in part:

- (1) All final orders of an agency shall be subject to a judicial review in accordance with the provisions of this chapter. A party shall institute an appeal by filing a petition in the Circuit Court of venue, as provided in the agency's enabling statutes, within thirty (30) days after the final order of the agency is mailed or delivered by personal service. If venue for appeal is not stated in the enabling statutes, a party may appeal to Franklin Circuit Court or the Circuit Court of the county in which the appealing party resides or operates a place of business. Copies of the Petition shall be served by the Petitioner upon the agency and all parties of record. The Petition shall include the names and addresses of all parties to the proceeding and the agency involved, and a statement of the grounds on which the review is requested. The Petition shall be accompanied by a copy of the Final Order.

Pursuant to KRS 23A.010(4), "Such review [by the Circuit Court] shall not constitute an appeal but an original action." Some courts have interpreted this language to mean that summons must be served upon filing an appeal in Circuit Court.

SO ORDERED, this 27th day of January 2021.

EXECUTIVE BRANCH ETHICS COMMISSION



Judge Roger L. Cirrenden (Ret.), Chair



David K. Karem (Jan 29, 2021 10:29 EST)

Sen. David K. Karem (Ret.), Vice-Chair



Crit Luallen, Member

Crit Luallen, Member



Daniel J. Venters (Jan 28, 2021 18:22 EST)

Justice Daniel J. Venters (Ret.), Member



David S. Samford (Jan 27, 2021 14:14 EST)

David S. Samford, Member

DISTRIBUTION

By hand delivery, for filing on February 2, 2021:

**DEBBIE BRISCOE
ADMINISTRATIVE PROCEEDINGS CLERK
EXECUTIVE BRANCH ETHICS COMMISSION
1025 CAPITAL CENTER DRIVE, SUITE 104
FRANKFORT, KENTUCKY 40601**

By hand-delivery to:

**HON. MICHAEL BOARD
HON. KATHRYN H. GABHART
EXECUTIVE BRANCH ETHICS COMMISSION
1025 CAPITAL CENTER DRIVE, SUITE 104
FRANKFORT, KENTUCKY 40601**

By Certified Mail to:

**REBECCA BLACK
1492 S. Shelby Street, Apt. 2
Louisville, Kentucky 40217**

Debbie Briscoe

Debbie Briscoe (Feb 2, 2021 09:41 EST)

Debbie Briscoe